

**COMMITTEE PRINT (DATED SEPTEMBER 1, 2005),
AS AMENDED BY THE COMMITTEE ON EDU-
CATION AND THE WORKFORCE ON OCTOBER
20, 2005**

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Personal Responsi-
3 bility, Work, and Family Promotion Act of 2005”.

4 SEC. 2. TABLE OF CONTENTS.

5 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

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- Sec. 101. Universal engagement and family self-sufficiency plan requirements.
- Sec. 102. Work participation requirements.
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TITLE II—CHILD CARE

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TITLE III—STATE AND LOCAL FLEXIBILITY



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1 **SEC. 3. REFERENCES.**

2 Except as otherwise expressly provided, wherever in
3 this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the amendment or repeal shall be considered to be
6 made to a section or other provision of the Social Security
7 Act.

8 **TITLE I—TANF**

9 **SEC. 101. UNIVERSAL ENGAGEMENT AND FAMILY SELF-** 10 **SUFFICIENCY PLAN REQUIREMENTS.**

11 (a) MODIFICATION OF STATE PLAN REQUIRE-
12 MENTS.—Section 402(a)(1)(A) (42 U.S.C. 602(a)(1)(A))
13 is amended by striking clauses (ii) and (iii) and inserting
14 the following:

15 “(ii) Require a parent or caretaker re-
16 ceiving assistance under the program to
17 engage in work or alternative self-suffi-
18 ciency activities (as defined by the State),
19 consistent with section 407(e)(2).

20 “(iii) Require families receiving assist-
21 ance under the program to engage in ac-
22 tivities in accordance with family self-suffi-



1 ciency plans developed pursuant to section
2 408(b).”.

3 (b) ESTABLISHMENT OF FAMILY SELF-SUFFICIENCY
4 PLANS.—

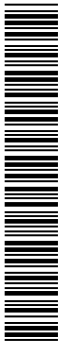
5 (1) IN GENERAL.—Section 408(b) (42 U.S.C.
6 608(b)) is amended to read as follows:

7 “(b) FAMILY SELF-SUFFICIENCY PLANS.—

8 “(1) IN GENERAL.—A State to which a grant
9 is made under section 403 shall—

10 “(A) assess, in the manner deemed appro-
11 priate by the State, the skills, prior work expe-
12 rience, and employability of each work-eligible
13 individual (as defined in section 407(b)(2)(C))
14 receiving assistance under the State program
15 funded under this part;

16 “(B) establish for each family that in-
17 cludes such an individual, in consultation as the
18 State deems appropriate with the individual, a
19 self-sufficiency plan that specifies appropriate
20 activities described in the State plan submitted
21 pursuant to section 402, including direct work
22 activities as appropriate designed to assist the
23 family in achieving their maximum degree of
24 self-sufficiency, and that provides for the ongo-



1 ing participation of the individual in the activi-
2 ties;

3 “(C) require, at a minimum, each such in-
4 dividual to participate in activities in accord-
5 ance with the self-sufficiency plan;

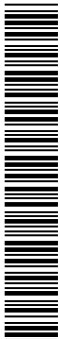
6 “(D) monitor the participation of each
7 such individual in the activities specified in the
8 self sufficiency plan, and regularly review the
9 progress of the family toward self-sufficiency;

10 “(E) upon such a review, revise the self-
11 sufficiency plan and activities as the State
12 deems appropriate.

13 “(2) TIMING.—The State shall comply with
14 paragraph (1) with respect to a family—

15 “(A) in the case of a family that, as of Oc-
16 tober 1, 2005, is not receiving assistance from
17 the State program funded under this part, not
18 later than 60 days after the family first receives
19 assistance on the basis of the most recent appli-
20 cation for the assistance; or

21 “(B) in the case of a family that, as of
22 such date, is receiving the assistance, not later
23 than 12 months after the date of enactment of
24 this subsection.



1 “(3) STATE DISCRETION.—A State shall have
2 sole discretion, consistent with section 407, to define
3 and design activities for families for purposes of this
4 subsection, to develop methods for monitoring and
5 reviewing progress pursuant to this subsection, and
6 to make modifications to the plan as the State
7 deems appropriate to assist the individual in increas-
8 ing their degree of self-sufficiency.

9 “(4) RULE OF INTERPRETATION.—Nothing in
10 this part shall preclude a State from--

11 “(A) requiring participation in work and
12 any other activities the State deems appropriate
13 for helping families achieve self-sufficiency and
14 improving child well-being; or

15 “(B) using job search or other appropriate
16 job readiness or work activities to assess the
17 employability of individuals and to determine
18 appropriate future engagement activities.”.

19 (2) PENALTY FOR FAILURE TO ESTABLISH
20 FAMILY SELF-SUFFICIENCY PLAN.—Section
21 409(a)(3) (42 U.S.C. 609(a)(3)) is amended—

22 (A) in the paragraph heading, by inserting
23 “OR ESTABLISH FAMILY SELF-SUFFICIENCY
24 PLAN” after “RATES”; and



1 (B) in subparagraph (A), by inserting “or
2 408(b)” after “407(a)”.

3 **SEC. 102. WORK PARTICIPATION REQUIREMENTS.**

4 (a) ELIMINATION OF SEPARATE PARTICIPATION
5 RATE REQUIREMENTS FOR 2-PARENT FAMILIES.—

6 (1) Section 407 (42 U.S.C. 607) is amended in
7 each of subsections (a) and (b) by striking para-
8 graph (2).

9 (2) Section 407(b)(4) (42 U.S.C. 607(b)(4)) is
10 amended by striking “paragraphs (1)(B) and
11 (2)(B)” and inserting “paragraph (1)(B)”.

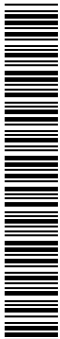
12 (3) Section 407(c)(1) (42 U.S.C. 607(c)(1)) is
13 amended by striking subparagraph (B).

14 (4) Section 407(c)(2)(D) (42 U.S.C.
15 607(c)(2)(D)) is amended by striking “paragraphs
16 (1)(B)(i) and (2)(B) of subsection (b)” and inserting
17 “subsection (b)(1)(B)(i)”.

18 (b) WORK PARTICIPATION REQUIREMENTS.—Section
19 407 (42 U.S.C. 607) is amended by striking all that pre-
20 cedes subsection (b)(3) and inserting the following:

21 **“SEC. 407. WORK PARTICIPATION REQUIREMENTS.**

22 “(a) PARTICIPATION RATE REQUIREMENTS.—A
23 State to which a grant is made under section 403 for a
24 fiscal year shall achieve a minimum participation rate
25 equal to not less than—



1 “(1) 50 percent for fiscal year 2006;
2 “(2) 55 percent for fiscal year 2007;
3 “(3) 60 percent for fiscal year 2008;
4 “(4) 65 percent for fiscal year 2009; and
5 “(5) 70 percent for fiscal year 2010 and each
6 succeeding fiscal year.

7 “(b) CALCULATION OF PARTICIPATION RATES.—

8 “(1) AVERAGE MONTHLY RATE.—For purposes
9 of subsection (a), the participation rate of a State
10 for a fiscal year is the average of the participation
11 rates of the State for each month in the fiscal year.

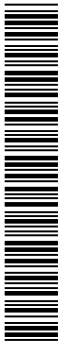
12 “(2) MONTHLY PARTICIPATION RATES; INCOR-
13 PORATION OF 40-HOUR WORK WEEK STANDARD.—

14 “(A) IN GENERAL.—For purposes of para-
15 graph (1), the participation rate of a State for
16 a month is—

17 “(i) the total number of countable
18 hours (as defined in subsection (c)) with
19 respect to the counted families for the
20 State for the month; divided by

21 “(ii) 160 multiplied by the number of
22 counted families for the State for the
23 month.

24 “(B) COUNTED FAMILIES DEFINED.—



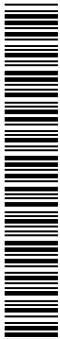
1 “(i) IN GENERAL.—In subparagraph
2 (A), the term ‘counted family’ means, with
3 respect to a State and a month, a family
4 that includes a work-eligible individual and
5 that receives assistance in the month under
6 the State program funded under this part,
7 subject to clause (ii).

8 “(ii) STATE OPTION TO EXCLUDE
9 CERTAIN FAMILIES.—At the option of a
10 State, the term ‘counted family’ shall not
11 include—

12 “(I) a family in the first month
13 for which the family receives assist-
14 ance from a State program funded
15 under this part on the basis of the
16 most recent application for such as-
17 sistance;

18 “(II) on a case-by-case basis, a
19 family in which the youngest child has
20 not attained 12 months of age; or

21 “(III) a family that is subject to
22 a sanction under this part or part D,
23 but that has not been subject to such
24 a sanction for more than 3 months



1 (whether or not consecutive) in the
2 preceding 12-month period.

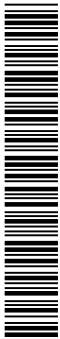
3 “(iii) STATE OPTION TO INCLUDE IN-
4 DIVIDUALS RECEIVING ASSISTANCE UNDER
5 A TRIBAL FAMILY ASSISTANCE PLAN OR
6 TRIBAL WORK PROGRAM.—At the option of
7 a State, the term ‘counted family’ may in-
8 clude families in the State that are receiv-
9 ing assistance under a tribal family assist-
10 ance plan approved under section 412 or
11 under a tribal work program to which
12 funds are provided under this part.

13 “(C) WORK-ELIGIBLE INDIVIDUAL DE-
14 FINED.—In this section, the term ‘work-eligible
15 individual’ means an individual—

16 “(i) who is married or a single head
17 of household; and

18 “(ii) whose needs are (or, but for
19 sanctions under this part or part D, would
20 be) included in determining the amount of
21 cash assistance to be provided to the fam-
22 ily under the State program funded under
23 this part.”.

24 (c) RECALIBRATION OF CASELOAD REDUCTION
25 CREDIT.—



1 (1) IN GENERAL.—Section 407(b)(3)(A)(ii) (42
2 U.S.C. 607(b)(3)(A)(ii)) is amended to read as fol-
3 lows:

4 “(ii) the average monthly number of
5 families that received assistance under the
6 State program funded under this part dur-
7 ing the base year.”.

8 (2) CONFORMING AMENDMENT.—Section
9 407(b)(3)(B) (42 U.S.C. 607(b)(3)(B)) is amended
10 by striking “and eligibility criteria” and all that fol-
11 lows through the close parenthesis and inserting
12 “and the eligibility criteria in effect during the then
13 applicable base year”.

14 (3) BASE YEAR DEFINED.—Section 407(b)(3)
15 (42 U.S.C. 607(b)(3)) is amended by adding at the
16 end the following:

17 “(C) BASE YEAR DEFINED.—In this para-
18 graph, the term ‘base year’ means, with respect
19 to a fiscal year—

20 “(i) if the fiscal year is fiscal year
21 2006, fiscal year 1996;

22 “(ii) if the fiscal year is fiscal year
23 2007, fiscal year 1998;

24 “(iii) if the fiscal year is fiscal year
25 2008, fiscal year 2001; or



1 “(iv) if the fiscal year is fiscal year
2 2009 or any succeeding fiscal year, the
3 then 4th preceding fiscal year.”.

4 (d) SUPERACHIEVER CREDIT.—Section 407(b) (42
5 U.S.C. 607(b)) is amended by striking paragraphs (4) and
6 (5) and inserting the following:

7 “(4) SUPERACHIEVER CREDIT.—

8 “(A) IN GENERAL.—The participation
9 rate, determined under paragraphs (1) and (2)
10 of this subsection, of a superachiever State for
11 a fiscal year shall be increased by the lesser
12 of—

13 “(i) the amount (if any) of the super-
14 achiever credit applicable to the State; or

15 “(ii) the number of percentage points
16 (if any) by which the minimum participa-
17 tion rate required by subsection (a) for the
18 fiscal year exceeds 50 percent.

19 “(B) SUPERACHIEVER STATE.—For pur-
20 poses of subparagraph (A), a State is a super-
21 achiever State if the State caseload for fiscal
22 year 2001 has declined by at least 60 percent
23 from the State caseload for fiscal year 1995.

24 “(C) AMOUNT OF CREDIT.—The super-
25 achiever credit applicable to a State is the num-



1 ber of percentage points (if any) by which the
2 decline referred to in subparagraph (B) exceeds
3 60 percent.

4 “(D) DEFINITIONS.—In this paragraph:

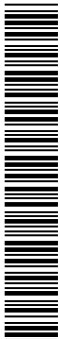
5 “(i) STATE CASELOAD FOR FISCAL
6 YEAR 2001.—The term ‘State caseload for
7 fiscal year 2001’ means the average
8 monthly number of families that received
9 assistance during fiscal year 2001 under
10 the State program funded under this part.

11 “(ii) STATE CASELOAD FOR FISCAL
12 YEAR 1995.—The term ‘State caseload for
13 fiscal year 1995’ means the average
14 monthly number of families that received
15 aid under the State plan approved under
16 part A (as in effect on September 30,
17 1995) during fiscal year 1995.”.

18 (e) COUNTABLE HOURS.—Section 407 of such Act
19 (42 U.S.C. 607) is amended by striking subsections (c)
20 and (d) and inserting the following:

21 “(c) COUNTABLE HOURS.—

22 “(1) DEFINITION.—In subsection (b)(2), the
23 term ‘countable hours’ means, with respect to a fam-
24 ily for a month, the total number of hours in the
25 month in which any member of the family who is a



1 work-eligible individual is engaged in a direct work
2 activity or other activities specified by the State (ex-
3 cluding an activity that does not address a purpose
4 specified in section 401(a)), subject to the other pro-
5 visions of this subsection.

6 “(2) LIMITATIONS.—Subject to such regula-
7 tions as the Secretary may prescribe:

8 “(A) MINIMUM WEEKLY AVERAGE OF 24
9 HOURS OF DIRECT WORK ACTIVITIES RE-
10 QUIRED.—If the work-eligible individuals in a
11 family are engaged in a direct work activity for
12 an average total of fewer than 24 hours per
13 week in a month, then the number of countable
14 hours with respect to the family for the month
15 shall be zero.

16 “(B) MAXIMUM WEEKLY AVERAGE OF 16
17 HOURS OF OTHER ACTIVITIES.—An average of
18 not more than 16 hours per week of activities
19 specified by the State (subject to the exclusion
20 described in paragraph (1)) may be considered
21 countable hours in a month with respect to a
22 family.

23 “(3) SPECIAL RULES.—For purposes of para-
24 graph (1):



1 “(A) PARTICIPATION IN QUALIFIED AC-
2 TIVITIES.—

3 “(i) IN GENERAL.—If, with the ap-
4 proval of the State, the work-eligible indi-
5 viduals in a family are engaged in 1 or
6 more qualified activities for an average
7 total of at least 24 hours per week in a
8 month, then all such engagement in the
9 month shall be considered engagement in a
10 direct work activity, subject to clause (iii).

11 “(ii) QUALIFIED ACTIVITY DE-
12 FINED.—The term ‘qualified activity’
13 means an activity specified by the State
14 (subject to the exclusion described in para-
15 graph (1)) that meets such standards and
16 criteria as the State may specify,
17 including—

18 “(I) substance abuse counseling
19 or treatment;

20 “(II) rehabilitation treatment
21 and services;

22 “(III) work-related education or
23 training directed at enabling the fam-
24 ily member to work;



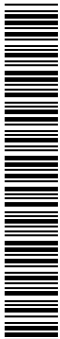
1 “(IV) job search or job readiness
2 assistance; and

3 “(V) any other activity that ad-
4 dresses a purpose specified in section
5 401(a).

6 “(iii) LIMITATION.—

7 “(I) IN GENERAL.—Except as
8 provided in subclause (II), clause (i)
9 shall not apply to a family for more
10 than 3 months in any period of 24
11 consecutive months.

12 “(II) SPECIAL RULE APPLICABLE
13 TO EDUCATION AND TRAINING.—A
14 State may, on a case-by-case basis,
15 apply clause (i) to a work-eligible indi-
16 vidual so that participation by the in-
17 dividual in education or training, if
18 needed to permit the individual to
19 complete a certificate program or
20 other work-related education or train-
21 ing directed at enabling the individual
22 to fill a known job need in a local
23 area, may be considered countable
24 hours with respect to the family of the
25 individual for not more than 4 months



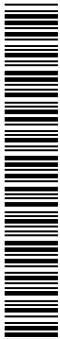
1 in any period of 24 consecutive
2 months.

3 “(B) SCHOOL ATTENDANCE BY TEEN
4 HEAD OF HOUSEHOLD.—The work-eligible
5 members of a family shall be considered to be
6 engaged in a direct work activity for an average
7 of 40 hours per week in a month if the family
8 includes an individual who is married, or is a
9 single head of household, who has not attained
10 20 years of age, and the individual—

11 “(i) maintains satisfactory attendance
12 at secondary school or the equivalent in
13 the month; or

14 “(ii) participates in education directly
15 related to employment for an average of at
16 least 20 hours per week in the month.

17 “(C) PARENTAL PARTICIPATION IN
18 SCHOOLS.—Each work-eligible individual in a
19 family shall make verified visits at least twice
20 per school year to the school of each of the indi-
21 vidual’s minor dependent children required to
22 attend school under the law of the State in
23 which the minor children reside, during the pe-
24 riod in which the family receives assistance
25 under the program funded under this part.



1 Hours spent in such activity may be specified
2 by the State as countable hours for purposes of
3 paragraph (2)(B).

4 “(d) DIRECT WORK ACTIVITY.—In this section, the
5 term ‘direct work activity’ means—

6 “(1) unsubsidized employment;

7 “(2) subsidized private sector employment;

8 “(3) subsidized public sector employment;

9 “(4) on-the-job training;

10 “(5) supervised work experience; or

11 “(6) supervised community service.”.

12 (f) PENALTIES AGAINST INDIVIDUALS.—Section
13 407(e)(1) (42 U.S.C. 607(e)(1)) is amended to read as
14 follows:

15 “(1) REDUCTION OR TERMINATION OF ASSIST-
16 ANCE.—

17 “(A) IN GENERAL.—Except as provided in
18 paragraph (2), if an individual in a family re-
19 ceiving assistance under a State program fund-
20 ed under this part fails to engage in activities
21 required in accordance with this section, or
22 other activities required by the State under the
23 program, and the family does not otherwise en-
24 gage in activities in accordance with the self-



1 sufficiency plan established for the family pur-
2 suant to section 408(b), the State shall—

3 “(i) if the failure is partial or persists
4 for not more than 1 month—

5 “(I) reduce the amount of assist-
6 ance otherwise payable to the family
7 pro rata (or more, at the option of the
8 State) with respect to any period dur-
9 ing a month in which the failure oc-
10 curs; or

11 “(II) terminate all assistance to
12 the family, subject to such good cause
13 exceptions as the State may establish;
14 or

15 “(ii) if the failure is total and persists
16 for at least 2 consecutive months, termi-
17 nate all cash payments to the family in-
18 cluding qualified State expenditures (as de-
19 fined in section 409(a)(7)(B)(i)) for at
20 least 1 month and thereafter until the
21 State determines that the individual has
22 resumed full participation in the activities,
23 subject to such good cause exceptions as
24 the State may establish.

25 “(B) SPECIAL RULE.—



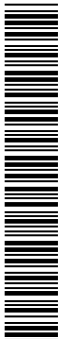
1 “(i) IN GENERAL.—In the event of a
2 conflict between a requirement of clause
3 (i)(II) or (ii) of subparagraph (A) and a
4 requirement of a State constitution, or of
5 a State statute that, before 1966, obligated
6 local government to provide assistance to
7 needy parents and children, the State con-
8 stitutional or statutory requirement shall
9 control.

10 “(ii) LIMITATION.—Clause (i) of this
11 subparagraph shall not apply after the 1-
12 year period that begins with the date of
13 the enactment of this subparagraph.”.

14 (g) CONFORMING AMENDMENTS.—

15 (1) Section 407(f) (42 U.S.C. 607(f)) is amend-
16 ed in each of paragraphs (1) and (2) by striking
17 “work activity described in subsection (d)” and in-
18 serting “direct work activity”.

19 (2) The heading of section 409(a)(14) (42
20 U.S.C. 609(a)(14)) is amended by inserting “**OR**
21 **REFUSING TO ENGAGE IN ACTIVITIES UNDER A**
22 **FAMILY SELF-SUFFICIENCY PLAN**” after
23 “**WORK**” .



1 **SEC. 103. WORK-RELATED PERFORMANCE IMPROVEMENT.**

2 (a) STATE PLANS.—Section 402(a)(1) (42 U.S.C.
3 602(a)) is amended—

4 (1) in subparagraph (A), by adding at the end
5 the following:

6 “(vii) The document shall—

7 “(I) describe how the State will
8 pursue ending dependence of needy
9 families on government benefits and
10 reducing poverty by promoting job
11 preparation and work;

12 “(II) include specific, numerical,
13 and measurable performance objec-
14 tives for accomplishing subclause (I);
15 and

16 “(III) describe the methodology
17 that the State will use to measure
18 State performance in relation to each
19 such objective.

20 “(viii) Describe any strategies and
21 programs the State may be undertaking to
22 address—

23 “(I) employment retention and
24 advancement for recipients of assist-
25 ance under the program, including
26 placement into high-demand jobs, and



1 whether the jobs are identified using
2 labor market information;

3 “(II) services for struggling and
4 noncompliant families, and for clients
5 with special problems; and

6 “(III) program integration, in-
7 cluding the extent to which employ-
8 ment and training services under the
9 program are provided through the
10 One-Stop delivery system created
11 under the Workforce Investment Act
12 of 1998, and the extent to which
13 former recipients of such assistance
14 have access to additional core, inten-
15 sive, or training services funded
16 through such Act.”; and

17 (2) in subparagraph (B), by striking clause (iv).

18 (b) REPORT ON ANNUAL PERFORMANCE IMPROVE-
19 MENT.—Section 411 (42 U.S.C. 611) is amended by add-
20 ing at the end the following:

21 “(c) ANNUAL REPORT ON PERFORMANCE IMPROVE-
22 MENT.—Beginning with fiscal year 2007, not later than
23 January 1 of each fiscal year, each eligible State shall sub-
24 mit to the Secretary a report on achievement and improve-
25 ment during the preceding fiscal year under the numerical



1 performance goals and measures under the State program
2 funded under this part with respect to the matter de-
3 scribed in section 402(a)(1)(A)(vii).”.

4 (c) ANNUAL RANKING OF STATES.—Section
5 413(d)(1) (42 U.S.C. 613(d)(1)) is amended by striking
6 “long-term private sector jobs,” and inserting “private
7 sector jobs, the success of the recipients in retaining em-
8 ployment, the ability of the recipients to increase their
9 wages,”.

10 (d) PERFORMANCE IMPROVEMENT.—Section 413 (42
11 U.S.C. 613) is amended by adding at the end the fol-
12 lowing:

13 “(k) PERFORMANCE IMPROVEMENT.—The Secretary,
14 in consultation with States, shall develop uniform perform-
15 ance measures designed to assess the degree of effective-
16 ness, and the degree of improvement, of State programs
17 funded under this part in accomplishing the work-related
18 purposes of this part.”.

19 **SEC. 104. REPORT ON COORDINATION.**

20 Not later than 6 months after the date of the enact-
21 ment of this Act, the Secretary of Health and Human
22 Services and the Secretary of Labor shall jointly submit
23 a report to the Congress describing common or conflicting
24 data elements, definitions, performance measures, and re-
25 porting requirements in the Workforce Investment Act of



1 1998 and part A of title IV of the Social Security Act,
2 and, to the degree each Secretary deems appropriate, at
3 the discretion of either Secretary, any other program ad-
4 ministered by the respective Secretary, to allow greater co-
5 ordination between the welfare and workforce development
6 systems.

7 **SEC. 105. FATHERHOOD PROGRAM.**

8 (a) SHORT TITLE.—This section may be cited as the
9 “Promotion and Support of Responsible Fatherhood and
10 Healthy Marriage Act of 2005”.

11 (b) FATHERHOOD PROGRAM.—

12 (1) IN GENERAL.—Title I of the Personal Re-
13 sponsibility and Work Opportunity Reconciliation
14 Act of 1996 (Public Law 104–193) is amended by
15 adding at the end the following:

16 **“SEC. 117. FATHERHOOD PROGRAM.**

17 “(a) IN GENERAL.—Title IV (42 U.S.C. 601–679b)
18 is amended by inserting after part B the following:

19 **‘PART C—FATHERHOOD PROGRAM**

20 **‘SEC. 441. FINDINGS AND PURPOSES.**

21 ‘(a) FINDINGS.—The Congress finds that there is
22 substantial evidence strongly indicating the urgent need
23 to promote and support involved, committed, and respon-
24 sible fatherhood, and to encourage and support healthy



1 marriages between parents raising children, including data
2 demonstrating the following:

3 ‘(1) In approximately 84 percent of cases where
4 a parent is absent, that parent is the father.

5 ‘(2) If current trends continue, half of all chil-
6 dren born today will live apart from one of their par-
7 ents, usually their father, at some point before they
8 turn 18.

9 ‘(3) Where families (whether intact or with a
10 parent absent) are living in poverty, a significant
11 factor is the father’s lack of job skills.

12 ‘(4) Committed and responsible fathering dur-
13 ing infancy and early childhood contributes to the
14 development of emotional security, curiosity, and
15 math and verbal skills.

16 ‘(5) An estimated 19,400,000 children (27 per-
17 cent) live apart from their biological father.

18 ‘(6) Forty percent of children under age 18 not
19 living with their biological father had not seen their
20 father even once in the last 12 months, according to
21 national survey data.

22 ‘(b) PURPOSES.—The purposes of this part are:

23 ‘(1) To provide for projects and activities by
24 public entities and by nonprofit community entities,
25 including religious organizations, designed to test



1 promising approaches to accomplishing the following
2 objectives:

3 ‘(A) Promoting responsible, caring, and ef-
4 fective parenting through counseling, men-
5 toring, and parenting education, dissemination
6 of educational materials and information on
7 parenting skills, encouragement of positive fa-
8 ther involvement, including the positive involve-
9 ment of nonresident fathers, and other meth-
10 ods.

11 ‘(B) Enhancing the abilities and commit-
12 ment of unemployed or low-income fathers to
13 provide material support for their families and
14 to avoid or leave welfare programs by assisting
15 them to take full advantage of education, job
16 training, and job search programs, to improve
17 work habits and work skills, to secure career
18 advancement by activities such as outreach and
19 information dissemination, coordination, as ap-
20 propriate, with employment services and job
21 training programs, including the One-Stop de-
22 livery system established under title I of the
23 Workforce Investment Act of 1998, encourage-
24 ment and support of timely payment of current
25 child support and regular payment toward past



1 due child support obligations in appropriate
2 cases, and other methods.

3 '(C) Improving fathers' ability to effec-
4 tively manage family business affairs by means
5 such as education, counseling, and mentoring in
6 matters including household management,
7 budgeting, banking, and handling of financial
8 transactions, time management, and home
9 maintenance.

10 '(D) Encouraging and supporting healthy
11 marriages and married fatherhood through such
12 activities as premarital education, including the
13 use of premarital inventories, marriage prepara-
14 tion programs, skills-based marriage education
15 programs, marital therapy, couples counseling,
16 divorce education and reduction programs, di-
17 vorce mediation and counseling, relationship
18 skills enhancement programs, including those
19 designed to reduce child abuse and domestic vi-
20 olence, and dissemination of information about
21 the benefits of marriage for both parents and
22 children.

23 '(2) Through the projects and activities de-
24 scribed in paragraph (1), to improve outcomes for
25 children with respect to measures such as increased



1 family income and economic security, improved
2 school performance, better health, improved emo-
3 tional and behavioral stability and social adjustment,
4 and reduced risk of delinquency, crime, substance
5 abuse, child abuse and neglect, teen sexual activity,
6 and teen suicide.

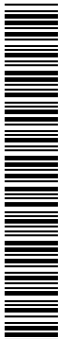
7 ‘(3) To evaluate the effectiveness of various ap-
8 proaches and to disseminate findings concerning out-
9 comes and other information in order to encourage
10 and facilitate the replication of effective approaches
11 to accomplishing these objectives.

12 **‘SEC. 442. DEFINITIONS.**

13 ‘In this part, the terms “Indian tribe” and “tribal
14 organization” have the meanings given them in sub-
15 sections (e) and (l), respectively, of section 4 of the Indian
16 Self-Determination and Education Assistance Act.

17 **‘SEC. 443. COMPETITIVE GRANTS FOR SERVICE PROJECTS.**

18 ‘(a) IN GENERAL.—The Secretary may make grants
19 for fiscal years 2006 through 2010 to public and nonprofit
20 community entities, including religious organizations, and
21 to Indian tribes and tribal organizations, for demonstra-
22 tion service projects and activities designed to test the ef-
23 fectiveness of various approaches to accomplish the objec-
24 tives specified in section 441(b)(1).



1 ‘(b) ELIGIBILITY CRITERIA FOR FULL SERVICE
2 GRANTS.—In order to be eligible for a grant under this
3 section, except as specified in subsection (c), an entity
4 shall submit an application to the Secretary containing the
5 following:

6 ‘(1) PROJECT DESCRIPTION.—A statement
7 including—

8 ‘(A) a description of the project and how
9 it will be carried out, including the geographical
10 area to be covered and the number and charac-
11 teristics of clients to be served, and how it will
12 address each of the 4 objectives specified in sec-
13 tion 441(b)(1); and

14 ‘(B) a description of the methods to be
15 used by the entity or its contractor to assess
16 the extent to which the project was successful
17 in accomplishing its specific objectives and the
18 general objectives specified in section 441(b)(1).

19 ‘(2) EXPERIENCE AND QUALIFICATIONS.—A
20 demonstration of ability to carry out the project, by
21 means such as demonstration of experience in suc-
22 cessfully carrying out projects of similar design and
23 scope, and such other information as the Secretary
24 may find necessary to demonstrate the entity’s ca-
25 pacity to carry out the project, including the entity’s

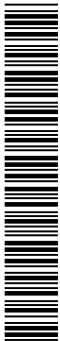


1 ability to provide the non-Federal share of project
2 resources.

3 ‘(3) ADDRESSING CHILD ABUSE AND NEGLECT
4 AND DOMESTIC VIOLENCE.—A description of how
5 the entity will assess for the presence of, and inter-
6 vene to resolve, domestic violence and child abuse
7 and neglect, including how the entity will coordinate
8 with State and local child protective service and do-
9 mestic violence programs.

10 ‘(4) ADDRESSING CONCERNS RELATING TO
11 SUBSTANCE ABUSE AND SEXUAL ACTIVITY.—A com-
12 mitment to make available to each individual partici-
13 pating in the project education about alcohol, to-
14 bacco, and other drugs, and about the health risks
15 associated with abusing such substances, and infor-
16 mation about diseases and conditions transmitted
17 through substance abuse and sexual contact, includ-
18 ing HIV/AIDS, and to coordinate with providers of
19 services addressing such problems, as appropriate.

20 ‘(5) COORDINATION WITH SPECIFIED PRO-
21 GRAMS.—An undertaking to coordinate, as appro-
22 priate, with State and local entities responsible for
23 the programs under parts A, B, and D of this title,
24 including programs under title I of the Workforce
25 Investment Act of 1998 (including the One-Stop de-



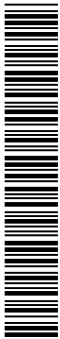
1 livery system), and such other programs as the Sec-
2 retary may require.

3 ‘(6) RECORDS, REPORTS, AND AUDITS.—An
4 agreement to maintain such records, make such re-
5 ports, and cooperate with such reviews or audits as
6 the Secretary may find necessary for purposes of
7 oversight of project activities and expenditures.

8 ‘(7) SELF-INITIATED EVALUATION.—If the enti-
9 ty elects to contract for independent evaluation of
10 the project (part or all of the cost of which may be
11 paid for using grant funds), a commitment to sub-
12 mit to the Secretary a copy of the evaluation report
13 within 30 days after completion of the report and
14 not more than 1 year after completion of the project.

15 ‘(8) COOPERATION WITH SECRETARY’S OVER-
16 SIGHT AND EVALUATION.—An agreement to cooper-
17 ate with the Secretary’s evaluation of projects as-
18 sisted under this section, by means including ran-
19 dom assignment of clients to service recipient and
20 control groups, if determined by the Secretary to be
21 appropriate, and affording the Secretary access to
22 the project and to project-related records and docu-
23 ments, staff, and clients.

24 ‘(c) ELIGIBILITY CRITERIA FOR LIMITED PURPOSE
25 GRANTS.—In order to be eligible for a grant under this



1 section in an amount under \$25,000 per fiscal year, an
2 entity shall submit an application to the Secretary con-
3 taining the following:

4 ‘(1) PROJECT DESCRIPTION.—A description of
5 the project and how it will be carried out, including
6 the number and characteristics of clients to be
7 served, the proposed duration of the project, and
8 how it will address at least 1 of the 4 objectives
9 specified in section 441(b)(1).

10 ‘(2) QUALIFICATIONS.—Such information as
11 the Secretary may require as to the capacity of the
12 entity to carry out the project, including any pre-
13 vious experience with similar activities.

14 ‘(3) COORDINATION WITH RELATED PRO-
15 GRAMS.—As required by the Secretary in appro-
16 priate cases, an undertaking to coordinate and co-
17 operate with State and local entities responsible for
18 specific programs relating to the objectives of the
19 project including, as appropriate, jobs programs and
20 programs serving children and families.

21 ‘(4) RECORDS, REPORTS, AND AUDITS.—An
22 agreement to maintain such records, make such re-
23 ports, and cooperate with such reviews or audits as
24 the Secretary may find necessary for purposes of
25 oversight of project activities and expenditures.



1 ‘(5) COOPERATION WITH SECRETARY’S OVER-
2 SIGHT AND EVALUATION.—An agreement to cooper-
3 ate with the Secretary’s evaluation of projects as-
4 sisted under this section, by means including afford-
5 ing the Secretary access to the project and to
6 project-related records and documents, staff, and cli-
7 ents.

8 ‘(d) CONSIDERATIONS IN AWARDING GRANTS.—

9 ‘(1) DIVERSITY OF PROJECTS.—In awarding
10 grants under this section, the Secretary shall seek to
11 achieve a balance among entities of differing sizes,
12 entities in differing geographic areas, entities in
13 urban and in rural areas, and entities employing dif-
14 fering methods of achieving the purposes of this sec-
15 tion, including working with the State agency re-
16 sponsible for the administration of part D to help fa-
17 thers satisfy child support arrearage obligations.

18 ‘(2) PREFERENCE FOR PROJECTS SERVING
19 LOW-INCOME FATHERS.—In awarding grants under
20 this section, the Secretary may give preference to
21 applications for projects in which a majority of the
22 clients to be served are low-income fathers.

23 ‘(e) FEDERAL SHARE.—

24 ‘(1) IN GENERAL.—Grants for a project under
25 this section for a fiscal year shall be available for a



1 share of the cost of such project in such fiscal year
2 equal to—

3 ‘(A) up to 80 percent (or up to 90 percent,
4 if the entity demonstrates to the Secretary’s
5 satisfaction circumstances limiting the entity’s
6 ability to secure non-Federal resources) in the
7 case of a project under subsection (b); and

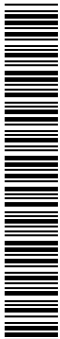
8 ‘(B) up to 100 percent, in the case of a
9 project under subsection (c).

10 ‘(2) NON-FEDERAL SHARE.—The non-Federal
11 share may be in cash or in kind. In determining the
12 amount of the non-Federal share, the Secretary may
13 attribute fair market value to goods, services, and
14 facilities contributed from non-Federal sources.

15 **‘SEC. 444. MULTICITY, MULTISTATE DEMONSTRATION**
16 **PROJECTS.**

17 ‘(a) IN GENERAL.—The Secretary may make grants
18 under this section for fiscal years 2006 through 2010 to
19 eligible entities (as specified in subsection (b)) for 2
20 multicity, multistate projects demonstrating approaches to
21 achieving the objectives specified in section 441(b)(1). One
22 of the projects shall test the use of married couples to
23 deliver program services.

24 ‘(b) ELIGIBLE ENTITIES.—An entity eligible for a
25 grant under this section must be a national nonprofit fa-



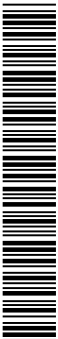
1 therhood promotion organization that meets the following
2 requirements:

3 ‘(1) EXPERIENCE WITH FATHERHOOD PRO-
4 GRAMS.—The organization must have substantial ex-
5 perience in designing and successfully conducting
6 programs that meet the purposes described in sec-
7 tion 441.

8 ‘(2) EXPERIENCE WITH MULTICITY,
9 MULTISTATE PROGRAMS AND GOVERNMENT COORDI-
10 NATION.—The organization must have experience in
11 simultaneously conducting such programs in more
12 than 1 major metropolitan area in more than 1
13 State and in coordinating such programs, where ap-
14 propriate, with State and local government agencies
15 and private, nonprofit agencies (including commu-
16 nity-based and religious organizations), including
17 State or local agencies responsible for child support
18 enforcement and workforce development.

19 ‘(c) APPLICATION REQUIREMENTS.—In order to be
20 eligible for a grant under this section, an entity must sub-
21 mit to the Secretary an application that includes the fol-
22 lowing:

23 ‘(1) QUALIFICATIONS.—



1 ‘(A) ELIGIBLE ENTITY.—A demonstration
2 that the entity meets the requirements of sub-
3 section (b).

4 ‘(B) OTHER.—Such other information as
5 the Secretary may find necessary to dem-
6 onstrate the entity’s capacity to carry out the
7 project, including the entity’s ability to provide
8 the non-Federal share of project resources.

9 ‘(2) PROJECT DESCRIPTION.—A description of
10 and commitments concerning the project design, in-
11 cluding the following:

12 ‘(A) IN GENERAL.—A detailed description
13 of the proposed project design and how it will
14 be carried out, which shall—

15 ‘(i) provide for the project to be con-
16 ducted in at least 3 major metropolitan
17 areas;

18 ‘(ii) state how it will address each of
19 the 4 objectives specified in section
20 441(b)(1);

21 ‘(iii) demonstrate that there is a suffi-
22 cient number of potential clients to allow
23 for the random selection of individuals to
24 participate in the project and for compari-
25 sons with appropriate control groups com-



1 posed of individuals who have not partici-
2 pated in such projects; and

3 ‘(iv) demonstrate that the project is
4 designed to direct a majority of project re-
5 sources to activities serving low-income fa-
6 thers (but the project need not make serv-
7 ices available on a means-tested basis).

8 ‘(B) OVERSIGHT, EVALUATION, AND AD-
9 JUSTMENT COMPONENT.—An agreement that
10 the entity—

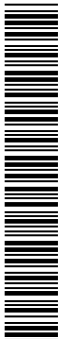
11 ‘(i) in consultation with the evaluator
12 selected pursuant to section 446, and as
13 required by the Secretary, will modify the
14 project design, initially and (if necessary)
15 subsequently throughout the duration of
16 the project, in order to facilitate ongoing
17 and final oversight and evaluation of
18 project operation and outcomes (by means
19 including, to the maximum extent feasible,
20 random assignment of clients to service re-
21 cipient and control groups), and to provide
22 for mid-course adjustments in project de-
23 sign indicated by interim evaluations;



1 ‘(ii) will submit to the Secretary re-
2 vised descriptions of the project design as
3 modified in accordance with clause (i); and
4 ‘(iii) will cooperate fully with the Sec-
5 retary’s ongoing oversight and ongoing and
6 final evaluation of the project, by means
7 including affording the Secretary access to
8 the project and to project-related records
9 and documents, staff, and clients.

10 ‘(3) ADDRESSING CHILD ABUSE AND NEGLECT
11 AND DOMESTIC VIOLENCE.—A description of how
12 the entity will assess for the presence of, and inter-
13 vene to resolve, domestic violence and child abuse
14 and neglect, including how the entity will coordinate
15 with State and local child protective service and do-
16 mestic violence programs.

17 ‘(4) ADDRESSING CONCERNS RELATING TO
18 SUBSTANCE ABUSE AND SEXUAL ACTIVITY.—A com-
19 mitment to make available to each individual partici-
20 pating in the project education about alcohol, to-
21 bacco, and other drugs, and about the health risks
22 associated with abusing such substances, and infor-
23 mation about diseases and conditions transmitted
24 through substance abuse and sexual contact, includ-



1 ing HIV/AIDS, and to coordinate with providers of
2 services addressing such problems, as appropriate.

3 ‘(5) COORDINATION WITH SPECIFIED PRO-
4 GRAMS.—An undertaking to coordinate, as appro-
5 priate, with State and local entities responsible for
6 the programs funded under parts A, B, and D of
7 this title, programs under title I of the Workforce
8 Investment Act of 1998 (including the One-Stop de-
9 livery system), and such other programs as the Sec-
10 retary may require.

11 ‘(6) RECORDS, REPORTS, AND AUDITS.—An
12 agreement to maintain such records, make such re-
13 ports, and cooperate with such reviews or audits (in
14 addition to those required under the preceding provi-
15 sions of paragraph (2)) as the Secretary may find
16 necessary for purposes of oversight of project activi-
17 ties and expenditures.

18 ‘(d) FEDERAL SHARE.—

19 ‘(1) IN GENERAL.—Grants for a project under
20 this section for a fiscal year shall be available for up
21 to 80 percent of the cost of such project in such fis-
22 cal year.

23 ‘(2) NON-FEDERAL SHARE.—The non-Federal
24 share may be in cash or in kind. In determining the
25 amount of the non-Federal share, the Secretary may



1 attribute fair market value to goods, services, and
2 facilities contributed from non-Federal sources.

3 **‘SEC. 445. ECONOMIC INCENTIVE DEMONSTRATION**
4 **PROJECTS.**

5 ‘(a) IN GENERAL.—The Secretary may make grants
6 under this section for fiscal years 2006 through 2010 to
7 eligible entities (as specified in subsection (b)) for two to
8 five projects demonstrating approaches to achieving the
9 objectives specified in section 441(b)(1). Drawing on the
10 success of economic-incentive programs in demonstrating
11 strong employment effects for low-income mothers,
12 projects shall test the use of economic incentives combined
13 with a comprehensive approach to addressing employment
14 barriers to encourage non-custodial parents to enter the
15 workforce and to contribute financially and emotionally to
16 their children. The Secretary may make grants based on
17 the level of innovation, comprehensiveness, and likelihood
18 to achieve the goal of increased employment by the appli-
19 cant.

20 ‘(b) ELIGIBLE ENTITIES.—An entity eligible for a
21 grant under this section must be a national nonprofit fa-
22 therhood promotion organization that meets the following
23 requirements:

24 ‘(1) EXPERIENCE WITH FATHERHOOD PRO-
25 GRAMS.—The organization must have substantial ex-

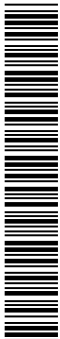


1 perience in designing and successfully conducting
2 programs that meet the purposes described in sec-
3 tion 441.

4 ‘(2) EXPERIENCE ADDRESSING MULTIPLE BAR-
5 RIERS TO EMPLOYMENT.—The organization must
6 have experience in conducting such programs and in
7 coordinating such programs, where appropriate, with
8 State and local government agencies and private,
9 nonprofit agencies (including community-based and
10 religious organizations), including State or local
11 agencies responsible for child support enforcement
12 and workforce development.

13 ‘(3) NEGOTIATED AGREEMENTS WITH STATE
14 AND LOCAL AGENCIES FOR APPROPRIATE POLICY
15 CHANGES TO ADDRESS BARRIERS TO EMPLOY-
16 MENT.—The organization must have agreements in
17 place with State and local government agencies, in-
18 cluding State or local agencies responsible for child
19 support enforcement and workforce development, to
20 incorporate appropriate policy changes proposed to
21 address barriers to employment.

22 ‘(c) APPLICATION REQUIREMENTS.—In order to be
23 eligible for a grant under this section, an entity must sub-
24 mit to the Secretary an application that includes the fol-
25 lowing:



1 ‘(1) QUALIFICATIONS.—

2 ‘(A) ELIGIBLE ENTITY.—A demonstration
3 that the entity meets the requirements of sub-
4 section (b).

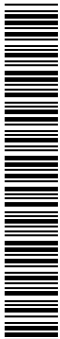
5 ‘(B) OTHER.—Such other information as
6 the Secretary may find necessary to dem-
7 onstrate the entity’s capacity to carry out the
8 project, including the entity’s ability to provide
9 the non-Federal share of project resources.

10 ‘(2) PROJECT DESCRIPTION.—A description of
11 and commitments concerning the project design, in-
12 cluding the following:

13 ‘(A) IN GENERAL.—A detailed description
14 of the proposed project design and how the
15 project will be carried out, which shall—

16 ‘(i) state how the project will address
17 each of the 4 objectives specified in section
18 441(b)(1);

19 ‘(ii) state how the project will address
20 employment barriers across programs
21 (such as child support, criminal justice,
22 and workforce development programs)
23 using both sanctions and compliance along
24 with monetary incentives for obtaining em-
25 ployment, with earning subsidies contin-



1 gent upon work and child support pay-
2 ment;

3 ‘(iii) demonstrate that there is a suffi-
4 cient number of potential clients to allow
5 for the random selection of individuals to
6 participate in the project and for compari-
7 sons with appropriate control groups com-
8 posed of individuals who have not partici-
9 pated in such projects; and

10 ‘(iv) demonstrate that the project is
11 designed to direct a majority of project re-
12 sources to activities serving low-income fa-
13 thers (but the project need not make serv-
14 ices available on a means-tested basis).

15 ‘(B) OVERSIGHT, EVALUATION, AND AD-
16 JUSTMENT COMPONENT.—An agreement that
17 the entity—

18 ‘(i) in consultation with the evaluator
19 selected pursuant to section 446, and as
20 required by the Secretary, will modify the
21 project design, initially and (if necessary)
22 subsequently throughout the duration of
23 the project, in order to facilitate ongoing
24 and final oversight and evaluation of
25 project operation and outcomes (by means



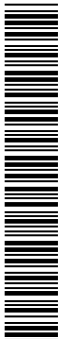
1 including, to the maximum extent feasible,
2 random assignment of clients to service re-
3 cipient and control groups), and to provide
4 for mid-course adjustments in project de-
5 sign indicated by interim evaluations;

6 ‘(ii) will submit to the Secretary re-
7 vised descriptions of the project design as
8 modified in accordance with clause (i); and

9 ‘(iii) will cooperate fully with the Sec-
10 retary’s ongoing oversight and ongoing and
11 final evaluation of the project, by means
12 including affording the Secretary access to
13 the project and to project-related records
14 and documents, staff, and clients.

15 ‘(3) ADDRESSING CHILD ABUSE AND NEGLECT
16 AND DOMESTIC VIOLENCE.—A description of how
17 the entity will assess for the presence of, and inter-
18 vene to resolve, domestic violence and child abuse
19 and neglect, including how the entity will coordinate
20 with State and local child protective service and do-
21 mestic violence programs.

22 ‘(4) ADDRESSING CONCERNS RELATING TO
23 SUBSTANCE ABUSE AND SEXUAL ACTIVITY.—A com-
24 mitment to make available to each individual partici-
25 pating in the project education about alcohol, to-



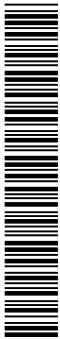
1 bacco, and other drugs, and about the health risks
2 associated with abusing such substances, and infor-
3 mation about diseases and conditions transmitted
4 through substance abuse and sexual contact, includ-
5 ing HIV/AIDS, and to coordinate with providers of
6 services addressing such problems, as appropriate.

7 ‘(5) COORDINATION WITH SPECIFIED PRO-
8 GRAMS.—An undertaking to coordinate, as appro-
9 priate, with State and local entities responsible for
10 the programs funded under parts A, B, and D of
11 this title, programs under title I of the Workforce
12 Investment Act of 1998 (including the One-Stop de-
13 livery system), and such other programs as the Sec-
14 retary may require.

15 ‘(6) RECORDS, REPORTS, AND AUDITS.—An
16 agreement to maintain such records, make such re-
17 ports, and cooperate with such reviews or audits (in
18 addition to those required under the preceding provi-
19 sions of paragraph (2)) as the Secretary may find
20 necessary for purposes of oversight of project activi-
21 ties and expenditures.

22 ‘(d) FEDERAL SHARE.—

23 ‘(1) IN GENERAL.—Grants for a project under
24 this section for a fiscal year shall be available for up



1 to 80 percent of the cost of such project in such fis-
2 cal year.

3 ‘(2) NON-FEDERAL SHARE.—The non-Federal
4 share may be in cash or in kind. In determining the
5 amount of the non-Federal share, the Secretary may
6 attribute fair market value to goods, services, and
7 facilities contributed from non-Federal sources.

8 **‘SEC. 446. EVALUATION.**

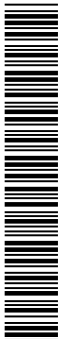
9 ‘(a) IN GENERAL.—The Secretary, directly or by con-
10 tract or cooperative agreement, shall evaluate the effec-
11 tiveness of service projects funded under sections 443 and
12 444 from the standpoint of the purposes specified in sec-
13 tion 441(b)(1).

14 ‘(b) EVALUATION METHODOLOGY.—Evaluations
15 under this section shall—

16 ‘(1) include, to the maximum extent feasible,
17 random assignment of clients to service delivery and
18 control groups and other appropriate comparisons of
19 groups of individuals receiving and not receiving
20 services;

21 ‘(2) describe and measure the effectiveness of
22 the projects in achieving their specific project goals;
23 and

24 ‘(3) describe and assess, as appropriate, the im-
25 pact of such projects on marriage, parenting, domes-



1 tic violence, child abuse and neglect, money manage-
2 ment, employment and earnings, payment of child
3 support, and child well-being, health, and education.

4 ‘(c) EVALUATION REPORTS.—The Secretary shall
5 publish the following reports on the results of the evalua-
6 tion:

7 ‘(1) An implementation evaluation report cov-
8 ering the first 24 months of the activities under this
9 part to be completed by 36 months after initiation
10 of such activities.

11 ‘(2) A final report on the evaluation to be com-
12 pleted by September 30, 2013.

13 **‘SEC. 447. PROJECTS OF NATIONAL SIGNIFICANCE.**

14 ‘The Secretary is authorized, by grant, contract, or
15 cooperative agreement, to carry out projects and activities
16 of national significance relating to fatherhood promotion,
17 including—

18 ‘(1) COLLECTION AND DISSEMINATION OF IN-
19 FORMATION.—Assisting States, communities, and
20 private entities, including religious organizations, in
21 efforts to promote and support marriage and respon-
22 sible fatherhood by collecting, evaluating, developing,
23 and making available (through the Internet and by
24 other means) to all interested parties information re-



1 garding approaches to accomplishing the objectives
2 specified in section 441(b)(1).

3 ‘(2) MEDIA CAMPAIGN.—Developing, promoting,
4 and distributing to interested States, local govern-
5 ments, public agencies, and private nonprofit organi-
6 zations, including charitable and religious organiza-
7 tions, a media campaign that promotes and encour-
8 ages involved, committed, and responsible fatherhood
9 and married fatherhood.

10 ‘(3) TECHNICAL ASSISTANCE.—Providing tech-
11 nical assistance, including consultation and training,
12 to public and private entities, including community
13 organizations and faith-based organizations, in the
14 implementation of local fatherhood promotion pro-
15 grams.

16 ‘(4) RESEARCH.—Conducting research related
17 to the purposes of this part.

18 **‘SEC. 448. NONDISCRIMINATION.**

19 ‘The projects and activities assisted under this part
20 shall be available on the same basis to all fathers and ex-
21 pectant fathers able to benefit from such projects and ac-
22 tivities, including married and unmarried fathers and cus-
23 todial and noncustodial fathers, with particular attention
24 to low-income fathers, and to mothers and expectant
25 mothers on the same basis as to fathers.



1 **‘SEC. 449. AUTHORIZATION OF APPROPRIATIONS; RES-**
2 **ERVATION FOR CERTAIN PURPOSE.**

3 ‘(a) AUTHORIZATION.—There are authorized to be
4 appropriated \$20,000,000 for each of fiscal years 2006
5 through 2010 to carry out the provisions of this part.

6 ‘(b) RESERVATION.—Of the amount appropriated
7 under this section for each fiscal year, not more than 35
8 percent shall be available for the costs of the multicounty,
9 multicounty, multistate demonstration projects under sec-
10 tion 444, the economic incentives demonstration projects
11 under section 445, evaluations under section 446, and
12 projects of national significance under section 447, with
13 not less than \$5,000,000 allocated to the economic incen-
14 tives demonstration project under section 445.’.

15 “(b) INAPPLICABILITY OF EFFECTIVE DATE PROVI-
16 SIONS.—Section 116 shall not apply to the amendment
17 made by subsection (a) of this section.”.

18 (2) CLERICAL AMENDMENT.—Section 2 of such
19 Act is amended in the table of contents by inserting
20 after the item relating to section 116 the following
21 new item:

“117. Fatherhood program.”.



1 **SEC. 106. STATE OPTION TO MAKE TANF PROGRAMS MAN-**
2 **DATORY PARTNERS WITH ONE-STOP EMPLOY-**
3 **MENT TRAINING CENTERS.**

4 Section 408 (42 U.S.C. 608) is amended by adding
5 at the end the following:

6 “(h) STATE OPTION TO MAKE TANF PROGRAMS
7 MANDATORY PARTNERS WITH ONE-STOP EMPLOYMENT
8 TRAINING CENTERS.—For purposes of section 121(b) of
9 the Workforce Investment Act of 1998, a State program
10 funded under part A of title IV of the Social Security Act
11 shall be considered a program referred to in paragraph
12 (1)(B) of such section, unless, after the date of the enact-
13 ment of this subsection, the Governor of the State notifies
14 the Secretaries of Health and Human Services and Labor
15 in writing of the decision of the Governor not to make
16 the State program a mandatory partner.”.

17 **SEC. 107. SENSE OF THE CONGRESS.**

18 It is the sense of the Congress that a State welfare-
19 to-work program should include a mentoring program.

20 **SEC. 108. PROHIBITION ON OFFSHORING.**

21 Section 408(a) (42 U.S.C. 608(a)) is amended by
22 adding at the end the following:

23 “(12) PROHIBITION ON OFFSHORING.—A State
24 to which a grant is made under section 403 shall not
25 use any part of the grant—



1 “(A) to enter into a contract with an entity
2 that, directly or through a subcontractor, pro-
3 vides any service, activity or function described
4 under this part at a location outside the United
5 States; or

6 “(B) to reduce employment in the United
7 States through use of 1 or more employees out-
8 side the United States. ”.

9 **TITLE II—CHILD CARE**

10 **SEC. 201. SHORT TITLE.**

11 This title may be cited as the “Caring for Children
12 Act of 2005”.

13 **SEC. 202. GOALS.**

14 (a) GOALS.—Section 658A(b) of the Child Care and
15 Development Block Grant Act of 1990 (42 U.S.C. 9801
16 note) is amended—

17 (1) in paragraph (3) by striking “encourage”
18 and inserting “assist”,

19 (2) by amending paragraph (4) to read as fol-
20 lows:

21 “(4) to assist States to provide child care to
22 low-income parents;”,

23 (3) by redesignating paragraph (5) as para-
24 graph (7), and



1 (4) by inserting after paragraph (4) the fol-
2 lowing:

3 “(5) to encourage States to improve the quality
4 of child care available to families;

5 “(6) to promote school readiness by encour-
6 aging the exposure of young children in child care to
7 nurturing environments and developmentally-appro-
8 priate activities, including activities to foster early
9 cognitive and literacy development; and”.

10 (b) CONFORMING AMENDMENT.—Section
11 658E(c)(3)(B) of the Child Care and Development Block
12 Grant Act of 1990 (42 U.S.C. 9858c(c)(3)(B)) is amended
13 by striking “through (5)” and inserting “through (7)”.

14 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 658B of the Child Care and Development
16 Block Grant Act of 1990 (42 U.S.C. 9858) is amended—

17 (1) by striking “is” and inserting “are”, and

18 (2) by striking “\$1,000,000,000 for each of the
19 fiscal years 1996 through 2002” and inserting
20 “\$2,300,000,000 for fiscal year 2006,
21 \$2,500,000,000 for fiscal year 2007,
22 \$2,700,000,000 for fiscal year 2008,
23 \$2,900,000,000 for fiscal year 2009, and
24 \$3,100,000,000 for fiscal year 2010”.



1 **SEC. 204. APPLICATION AND PLAN.**

2 Section 658E(c)(2) of the Child Care and Develop-
3 ment Block Grant Act of 1990 (42 U.S.C. 9858C(c)(2))
4 is amended—

5 (1) by amending subparagraph (D) to read as
6 follows:

7 “(D) CONSUMER AND CHILD CARE PRO-
8 VIDER EDUCATION INFORMATION.—

9 “(i) CERTIFICATION.—Certify that
10 the State will collect and disseminate,
11 through resource and referral services and
12 other means as determined by the State, to
13 parents of eligible children, child care pro-
14 viders, and the general public, information
15 regarding—

16 “(I) the promotion of informed
17 child care choices, including informa-
18 tion about the quality and availability
19 of child care services;

20 “(II) research and best practices
21 on children’s development, including
22 early cognitive development;

23 “(III) the availability of assist-
24 ance to obtain child care services; and

25 “(IV) other programs for which
26 families that receive child care serv-



1 ices for which financial assistance is
2 provided under this subchapter may
3 be eligible, including the food stamp
4 program, the WIC program under sec-
5 tion 17 of the Child Nutrition Act of
6 1966, the child and adult care food
7 program under section 17 of the Rich-
8 ard B. Russell National School Lunch
9 Act, Head Start programs, Early
10 Head Start programs, services and ac-
11 tivities under section 619 and part C
12 of the Individuals with Disabilities
13 Education Act, and the medicaid and
14 SCHIP programs under titles XIX
15 and XXI of the Social Security Act.

16 “(ii) INFORMATION.—Information
17 provided to parents shall be in plain lan-
18 guage and, to the extent practicable, be in
19 a language that such parents can under-
20 stand.”, and

21 (2) by inserting after subparagraph (H) the fol-
22 lowing:

23 “(I) COORDINATION WITH OTHER EARLY
24 CHILD CARE SERVICES AND EARLY CHILDHOOD
25 EDUCATION PROGRAMS.—Demonstrate how the



1 State is coordinating child care services pro-
2 vided under this subchapter with Head Start
3 programs, Early Head Start programs, Early
4 Reading First, Even Start, Ready-To-Learn
5 Television, services and activities under section
6 619 and part C of the Individuals with Disabil-
7 ities Education Act, State pre-kindergarten pro-
8 grams, and other early childhood education pro-
9 grams to expand accessibility to and continuity
10 of care and early education consistent with the
11 goals of this Act, without displacing services
12 provided by the current early care and edu-
13 cation delivery system.

14 “(J) PUBLIC-PRIVATE PARTNERSHIPS.—
15 Demonstrate how the State encourages partner-
16 ships with private and other public entities to
17 leverage existing service delivery systems of
18 early childhood education and increase the sup-
19 ply and quality of child care services.

20 “(K) CHILD CARE SERVICE QUALITY.—

21 “(i) CERTIFICATION.—For each fiscal
22 year after fiscal year 2006, certify that
23 during the then preceding fiscal year the
24 State was in compliance with section 658G
25 and describe how funds were used to com-



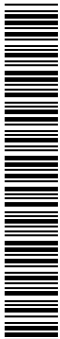
1 ply with such section during such pre-
2 ceding fiscal year.

3 “(ii) STRATEGY.—For each fiscal year
4 after fiscal year 2006, contain an outline
5 of the strategy the State will implement
6 during such fiscal year for which the State
7 plan is submitted, to address the quality of
8 child care services in the State available
9 from eligible child care providers, and in-
10 clude in such strategy—

11 “(I) a statement specifying how
12 the State will address the activities
13 described in paragraphs (1), (2), and
14 (3) of section 658G;

15 “(II) a description of measures
16 for evaluating the quality improve-
17 ments generated by the activities list-
18 ed in each of such paragraphs that
19 the State will use to evaluate its
20 progress in improving the quality of
21 such child care services;

22 “(III) a list of State-developed
23 child care service quality targets for
24 such fiscal year quantified on the
25 basis of such measures; and



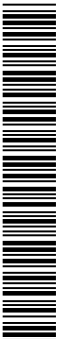
1 “(IV) for each fiscal year after
2 fiscal year 2006, a report on the
3 progress made to achieve such targets
4 during the then preceding fiscal year.

5 “(iii) RULE OF CONSTRUCTION.—
6 Nothing in this subparagraph shall be con-
7 strued to require that the State apply
8 measures for evaluating quality to specific
9 types of child care providers.

10 “(L) ACCESS TO CARE FOR CERTAIN POPU-
11 LATIONS.—Demonstrate how the State is ad-
12 dressing the child care needs of parents eligible
13 for child care services for which financial assist-
14 ance is provided under this subchapter who
15 have children with special needs, are limited
16 English proficient, work nontraditional hours,
17 or require child care services for infants or tod-
18 dlers.”.

19 **SEC. 205. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD**
20 **CARE.**

21 Section 658G of the Child Care and Development
22 Block Grant Act of 1990 (42 U.S.C. 9858e) is amended
23 to read as follows:



1 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**
2 **CHILD CARE SERVICES.**

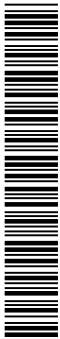
3 “A State that receives funds to carry out this sub-
4 chapter for a fiscal year, shall use not less than 6 percent
5 of the amount of such funds for activities provided
6 through resource and referral services and other means,
7 that are designed to improve the quality of child care serv-
8 ices in the State available from eligible child care pro-
9 viders. Such activities include—

10 “(1) programs that provide training, education,
11 and other professional development activities to en-
12 hance the skills of the child care workforce, includ-
13 ing training opportunities for caregivers in informal
14 care settings;

15 “(2) activities within child care settings to en-
16 hance early learning for young children, to promote
17 early literacy, and to foster school readiness;

18 “(3) initiatives to increase the retention and
19 compensation of child care providers, including
20 tiered reimbursement rates for providers that meet
21 quality standards as defined by the State; or

22 “(4) other activities deemed by the State to im-
23 prove the quality of child care services provided in
24 such State.”.



1 **SEC. 206. REPORTS AND AUDITS.**

2 Section 658K(a)(1)(B)(iii) of the Child Care and De-
3 velopment Block Grant Act of 1990 (42 U.S.C.
4 9858i(a)(1)(B)(iii)) is amended by inserting “ethnicity,
5 primary language,” after “race,”.

6 **SEC. 207. REPORT BY SECRETARY.**

7 Section 658L of the Child Care and Development
8 Block Grant Act of 1990 (42 U.S.C. 9858j) is amended
9 to read as follows:

10 **“SEC. 658L. REPORT BY SECRETARY.**

11 “(a) REPORT REQUIRED.—Not later than October 1,
12 2007, and biennially thereafter, the Secretary shall pre-
13 pare and submit to the Committee on Education and the
14 Workforce of the House of Representatives and the Com-
15 mittee on Health, Education, Labor and Pensions of the
16 Senate a report that contains the following:

17 “(1) A summary and analysis of the data and
18 information provided to the Secretary in the State
19 reports submitted under section 658K.

20 “(2) Aggregated statistics on the supply of, de-
21 mand for, and quality of child care, early education,
22 and non-school-hours programs.

23 “(3) An assessment, and where appropriate,
24 recommendations for the Congress concerning ef-
25 forts that should be undertaken to improve the ac-



1 cess of the public to quality and affordable child care
2 in the United States.

3 “(b) COLLECTION OF INFORMATION.—The Secretary
4 may utilize the national child care data system available
5 through resource and referral organizations at the local,
6 State, and national level to collect the information re-
7 quired by subsection (a)(2).”.

8 **SEC. 208. DEFINITIONS.**

9 (a) ELIGIBLE CHILDREN.—Section 658P(4)(B) of
10 the Child Care and Development Block Grant Act of 1990
11 (42 U.S.C. 9858N(4)(B)) is amended by striking “85 per-
12 cent of the State median income” and inserting “income
13 levels as established by the State, prioritized by need,”.

14 (b) LIMITED ENGLISH PROFICIENT.—Section 658P
15 of the Child Care and Development Block Grant Act of
16 1990 (42 U.S.C. 9858n) is amended—

17 (1) by redesignating paragraph (9) as para-
18 graph (10); and

19 (2) by inserting after paragraph (8) the fol-
20 lowing:

21 “(9) LIMITED ENGLISH PROFICIENT.—The
22 term ‘limited English proficient’ means with respect
23 to an individual, that such individual—

24 “(A)(i) was not born in the United States
25 or has a native language that is not English;



1 “(ii)(I) is a Native American, an Alaska
2 Native, or a native resident of a territory or
3 possession of the United States; and

4 “(II) comes from an environment in which
5 a language that is not English has had a sig-
6 nificant impact on such individual’s level of
7 English language proficiency; or

8 “(iii) is migratory, has a native language
9 that is not English, and comes from an environ-
10 ment in which a language that is not English
11 is dominant; and

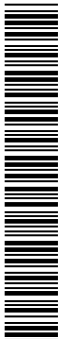
12 “(B) has difficulty in speaking or under-
13 standing the English language to an extent that
14 may be sufficient to deny such individual—

15 “(i) the ability to successfully achieve
16 in classrooms in which the language of in-
17 struction is English; or

18 “(ii) the opportunity to fully partici-
19 pate in society.”.

20 **SEC. 209. WAIVER AUTHORITY TO EXPAND THE AVAIL-**
21 **ABILITY OF SERVICES UNDER CHILD CARE**
22 **AND DEVELOPMENT BLOCK GRANT ACT OF**
23 **1990.**

24 (a) **WAIVER AUTHORITY.**—For such period up to
25 June 30, 2006, and to such extent as the Secretary con-



1 siders to be appropriate, the Secretary of Health and
2 Human Service may waive or modify, for any affected
3 State, and any State serving significant numbers of indi-
4 viduals adversely affected by a Gulf hurricane disaster,
5 provisions of the Child Care and Development Block
6 Grant Act of 1990 (42 U.S.C. 9858 et seq.)—

7 (1) relating to Federal income limitations on
8 eligibility to receive child care services for which as-
9 sistance is provided under such Act,

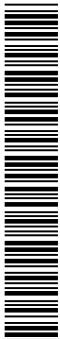
10 (2) relating to work requirements applicable to
11 eligibility to receive child care services for which as-
12 sistance is provided under such Act,

13 (3) relating to limitations on the use of funds
14 under section 658G of the Child Care and Develop-
15 ment Block Grant Act of 1990, and

16 (4) preventing children designated as evacuees
17 from receiving priority for child care services pro-
18 vided under such Act, except that children residing
19 in a State and currently receiving services should
20 not lose such services in order to accommodate evac-
21 uee children,

22 for purposes of easing State fiscal burdens and providing
23 child care services to children orphaned, or of families dis-
24 placed, as a result of a Gulf hurricane disaster.

25 (b) DEFINITIONS.—For purposes of this section:



1 (1) AFFECTED STATE.—The term “affected
2 State” means the State of Alabama, Florida, Lou-
3 isiana, Mississippi, or Texas.

4 (2) GULF HURRICANE DISASTER.—The term
5 “Gulf hurricane disaster” means a major disaster
6 that the President declared to exist, in accordance
7 with section 401 of the Robert T. Stafford Disaster
8 Relief and Emergency Assistance Act, and that was
9 caused by Hurricane Katrina or Hurricane Rita.

10 (3) INDIVIDUAL ADVERSELY AFFECTED BY A
11 GULF HURRICANE DISASTER.—The term “individual
12 adversely affected by a Gulf hurricane disaster”
13 means an individual who, on August 29, 2005, was
14 living, working, or attending school in an area in
15 which the President has declared to exist a Gulf hur-
16 ricane disaster.

17 **TITLE III—STATE AND LOCAL**
18 **FLEXIBILITY**

19 **SEC. 301. PROGRAM COORDINATION DEMONSTRATION**
20 **PROJECTS.**

21 (a) PURPOSE.—The purpose of this section is to es-
22 tablish a program of demonstration projects in a State or
23 portion of a State to coordinate multiple public assistance,
24 workforce development, and other programs, for the pur-
25 pose of supporting working individuals and families, help-



1 ing families escape welfare dependency, promoting child
2 well-being, or helping build stronger families, using inno-
3 vative approaches to strengthen service systems and pro-
4 vide more coordinated and effective service delivery.

5 (b) DEFINITIONS.—In this section:

6 (1) ADMINISTERING SECRETARY.—The term
7 “administering Secretary” means, with respect to a
8 qualified program, the head of the Federal agency
9 responsible for administering the program.

10 (2) QUALIFIED PROGRAM.—The term “qualified
11 program” means—

12 (A) activities funded under title I of the
13 Workforce Investment Act of 1998, except sub-
14 title C of such title;

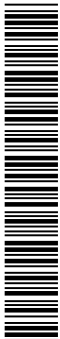
15 (B) a demonstration project authorized
16 under section 505 of the Family Support Act of
17 1988;

18 (C) activities funded under the Wagner-
19 Peyser Act;

20 (D) activities funded under the Adult Edu-
21 cation and Family Literacy Act; or

22 (E) activities funded under the Child Care
23 and Development Block Grant Act of 1990;

24 (c) APPLICATION REQUIREMENTS.—The head of a
25 State entity or of a sub-State entity administering 2 or



1 more qualified programs proposed to be included in a dem-
2 onstration project under this section shall (or, if the
3 project is proposed to include qualified programs adminis-
4 tered by 2 or more such entities, the heads of the admin-
5 istering entities (each of whom shall be considered an ap-
6 plicant for purposes of this section) shall jointly) submit
7 to the administering Secretary of each such program an
8 application that contains the following:

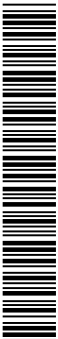
9 (1) PROGRAMS INCLUDED.—A statement identi-
10 fying each qualified program to be included in the
11 project, and describing how the purposes of each
12 such program will be achieved by the project.

13 (2) POPULATION SERVED.—A statement identi-
14 fying the population to be served by the project and
15 specifying the eligibility criteria to be used.

16 (3) DESCRIPTION AND JUSTIFICATION.—A de-
17 tailed description of the project, including—

18 (A) a description of how the project is ex-
19 pected to improve or enhance achievement of
20 the purposes of the programs to be included in
21 the project, from the standpoint of quality, of
22 cost-effectiveness, or of both; and

23 (B) a description of the performance objec-
24 tives for the project, including any proposed



1 modifications to the performance measures and
2 reporting requirements used in the programs.

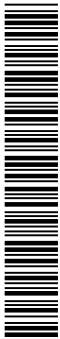
3 (4) WAIVERS REQUESTED.—A description of
4 the statutory and regulatory requirements with re-
5 spect to which a waiver is requested in order to
6 carry out the project, and a justification of the need
7 for each such waiver.

8 (5) COST NEUTRALITY.—Such information and
9 assurances as necessary to establish to the satisfac-
10 tion of the administering Secretary, in consultation
11 with the Director of the Office of Management and
12 Budget, that the proposed project is reasonably ex-
13 pected to meet the applicable cost neutrality require-
14 ments of subsection (d)(4).

15 (6) EVALUATION AND REPORTS.—An assurance
16 that the applicant will conduct ongoing and final
17 evaluations of the project, and make interim and
18 final reports to the administering Secretary, at such
19 times and in such manner as the administering Sec-
20 retary may require.

21 (7) OTHER INFORMATION AND ASSURANCES.—
22 Such other information and assurances as the ad-
23 ministering Secretary may require.

24 (d) APPROVAL OF APPLICATIONS.—



1 (1) IN GENERAL.—The administering Secretary
2 with respect to a qualified program that is identified
3 in an application submitted pursuant to subsection
4 (c) may approve the application and, except as pro-
5 vided in paragraph (2), waive any requirement appli-
6 cable to the program, to the extent consistent with
7 this section and necessary and appropriate for the
8 conduct of the demonstration project proposed in the
9 application, if the administering Secretary deter-
10 mines that the project—

11 (A) has a reasonable likelihood of achieving
12 the objectives of the programs to be included in
13 the project;

14 (B) may reasonably be expected to meet
15 the applicable cost neutrality requirements of
16 paragraph (4), as determined by the Director of
17 the Office of Management and Budget; and

18 (C) includes the coordination of 2 or more
19 qualified programs.

20 (2) PROVISIONS EXCLUDED FROM WAIVER AU-
21 THORITY.—A waiver shall not be granted under
22 paragraph (1)—

23 (A) with respect to any provision of law re-
24 lating to—



- 1 (i) civil rights or prohibition of dis-
2 crimination;
3 (ii) purposes or goals of any program;
4 (iii) maintenance of effort require-
5 ments;
6 (iv) health or safety;
7 (v) labor standards under the Fair
8 Labor Standards Act of 1938; or
9 (vi) environmental protection;
10 (B) with respect to section 241(a) of the
11 Adult Education and Family Literacy Act;
12 (C) in the case of a program under the
13 Workforce Investment Act, with respect to any
14 requirement the waiver of which would violate
15 section 189(i)(4)(A)(i) of such Act;
16 (D) with respect to any requirement that a
17 State pass through to a sub-State entity part or
18 all of an amount paid to the State;
19 (E) if the waiver would waive any funding
20 restriction or limitation provided in an appro-
21 priations Act, or would have the effect of trans-
22 ferring appropriated funds from 1 appropria-
23 tions account to another; or
24 (F) except as otherwise provided by stat-
25 ute, if the waiver would waive any funding re-

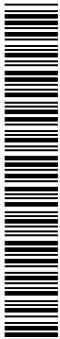


1 striction applicable to a program authorized
2 under an Act which is not an appropriations
3 Act (but not including program requirements
4 such as application procedures, performance
5 standards, reporting requirements, or eligibility
6 standards), or would have the effect of transfer-
7 ring funds from a program for which there is
8 direct spending (as defined in section 250(c)(8)
9 of the Balanced Budget and Emergency Deficit
10 Control Act of 1985) to another program.

11 (3) AGREEMENT OF EACH ADMINISTERING SEC-
12 RETARY REQUIRED.—

13 (A) IN GENERAL.—An applicant may not
14 conduct a demonstration project under this sec-
15 tion unless each administering Secretary with
16 respect to any program proposed to be included
17 in the project has approved the application to
18 conduct the project.

19 (B) AGREEMENT WITH RESPECT TO FUND-
20 ING AND IMPLEMENTATION.—Before approving
21 an application to conduct a demonstration
22 project under this section, an administering
23 Secretary shall have in place an agreement with
24 the applicant with respect to the payment of
25 funds and responsibilities required of the ad-

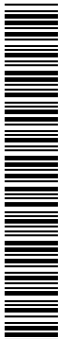


1 ministering Secretary with respect to the
2 project.

3 (4) COST-NEUTRALITY REQUIREMENT.—

4 (A) GENERAL RULE.—Notwithstanding
5 any other provision of law (except subparagraph
6 (B)), the total of the amounts that may be paid
7 by the Federal Government for a fiscal year
8 with respect to the programs in the State in
9 which an entity conducting a demonstration
10 project under this section is located that are af-
11 fected by the project shall not exceed the esti-
12 mated total amount that the Federal Govern-
13 ment would have paid for the fiscal year with
14 respect to the programs if the project had not
15 been conducted, as determined by the Director
16 of the Office of Management and Budget.

17 (B) SPECIAL RULE.—If an applicant sub-
18 mits to the Director of the Office of Manage-
19 ment and Budget a request to apply the rules
20 of this subparagraph to the programs in the
21 State in which the applicant is located that are
22 affected by a demonstration project proposed in
23 an application submitted by the applicant pur-
24 suant to this section, during such period of not
25 more than 5 consecutive fiscal years in which



1 the project is in effect, and the Director deter-
2 mines, on the basis of supporting information
3 provided by the applicant, to grant the request,
4 then, notwithstanding any other provision of
5 law, the total of the amounts that may be paid
6 by the Federal Government for the period with
7 respect to the programs shall not exceed the es-
8 timated total amount that the Federal Govern-
9 ment would have paid for the period with re-
10 spect to the programs if the project had not
11 been conducted.

12 (5) 90-DAY APPROVAL DEADLINE.—

13 (A) IN GENERAL.—If an administering
14 Secretary receives an application to conduct a
15 demonstration project under this section and
16 does not disapprove the application within 90
17 days after the receipt, then—

18 (i) the administering Secretary is
19 deemed to have approved the application
20 for such period as is requested in the ap-
21 plication, except to the extent inconsistent
22 with subsection (e); and

23 (ii) any waiver requested in the appli-
24 cation which applies to a qualified program
25 that is identified in the application and is



1 administered by the administering Sec-
2 retary is deemed to be granted, except to
3 the extent inconsistent with paragraph (2)
4 or (4) of this subsection.

5 (B) DEADLINE EXTENDED IF ADDITIONAL
6 INFORMATION IS SOUGHT.—The 90-day period
7 referred to in subparagraph (A) shall not in-
8 clude any period that begins with the date the
9 Secretary requests the applicant to provide ad-
10 ditional information with respect to the applica-
11 tion and ends with the date the additional in-
12 formation is provided.

13 (e) DURATION OF PROJECTS.—A demonstration
14 project under this section may be approved for a term of
15 not more than 5 years.

16 (f) REPORTS TO CONGRESS.—

17 (1) REPORT ON DISPOSITION OF APPLICA-
18 TIONS.—Within 90 days after an administering Sec-
19 retary receives an application submitted pursuant to
20 this section, the administering Secretary shall sub-
21 mit to each Committee of the Congress which has
22 jurisdiction over a qualified program identified in
23 the application notice of the receipt, a description of
24 the decision of the administering Secretary with re-



1 spect to the application, and the reasons for approv-
2 ing or disapproving the application.

3 (2) REPORTS ON PROJECTS.—Each admin-
4 istering Secretary shall provide annually to the Con-
5 gress a report concerning demonstration projects ap-
6 proved under this section, including—

7 (A) the projects approved for each appli-
8 cant;

9 (B) the number of waivers granted under
10 this section, and the specific statutory provi-
11 sions waived;

12 (C) how well each project for which a waiv-
13 er is granted is improving or enhancing pro-
14 gram achievement from the standpoint of qual-
15 ity, cost-effectiveness, or both;

16 (D) how well each project for which a
17 waiver is granted is meeting the performance
18 objectives specified in subsection (c)(3)(B);

19 (E) how each project for which a waiver is
20 granted is conforming with the cost-neutrality
21 requirements of subsection (d)(4); and

22 (F) to the extent the administering Sec-
23 retary deems appropriate, recommendations for
24 modification of programs based on outcomes of
25 the projects.



1 **TITLE IV—EFFECTIVE DATE**

2 **SEC. 401. EFFECTIVE DATE.**

3 (a) IN GENERAL.—Except as otherwise provided, this
4 Act and the amendments made by this Act shall take ef-
5 fect on the date of the enactment of this Act.

6 (b) EXCEPTION.—In the case of a State plan under
7 part A of title IV of the Social Security Act which the
8 Secretary determines requires State legislation in order
9 for the plan to meet the additional requirements imposed
10 by the amendments made by this Act, the effective date
11 of the amendments imposing the additional requirements
12 shall be 3 months after the first day of the first calendar
13 quarter beginning after the close of the first regular ses-
14 sion of the State legislature that begins after the date of
15 the enactment of this Act. For purposes of the preceding
16 sentence, in the case of a State that has a 2-year legisla-
17 tive session, each year of the session shall be considered
18 to be a separate regular session of the State legislature.

